

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ASTLEY DAVY, et al.,  
Plaintiffs,

v.

PARAGON COIN, INC., et al.,  
Defendants.

Case No. [18-cv-00671-JSW](#)

**ORDER REQUIRING ADDITIONAL  
INFORMATION ON NOTICE PLAN**

Re: Dkt. No. 165

The Court has received and considered Plaintiffs' proposed plan for providing notice to class members. The Court is tentatively inclined to approve the form notice submitted and to approve notice by publication. Defendants have not appeared and, thus, would not appear to be a viable means of obtaining information about potential class members.

Although Defendants are in default, the Court finds that the information Plaintiffs have provided is not sufficient.<sup>1</sup> Plaintiffs do not state which national wire service they intend to use to publish the notice. They do not provide evidence about CoinDesk or Reddit; they simply refer the Court to the "about" section of CoinDesk. They also do not state how often or the length of time the notice will be published on these sources. The information provided is not sufficient for the Court to conclude that notice by publication will reach a sufficient number of class members to satisfy due process.

Plaintiffs shall supplement this proposed notice plan by no later than August 7, 2020, and it

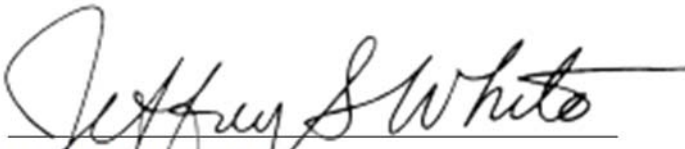
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<sup>1</sup> If Plaintiffs are successful on a motion for default judgment, and they seek attorneys' fees, they shall **not** include fees incurred in responding to this Order as part of that request.

1 must be supported by declarations and evidence.

2 **IT IS SO ORDERED.**

3 Dated: July 22, 2020

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5 JEFFREY S. WHITE  
6 United States District Judge  
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